

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

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SHEILA EVERETT,

Plaintiff,

-against-

PORTFOLIO RECOVERY ASSOCIATES,
LLC,

Defendant.
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Civil Action No.: 6:21-cv-06159-CJS

**DEFENDANT PORTFOLIO RECOVERY ASSOCIATES, LLC'S
NOTICE OF MOTION TO STAY**

Defendant, Portfolio Recovery Associates, LLC (“PRA”), through its undersigned counsel, moves to stay proceedings in this matter pending the United States Supreme Court’s forthcoming decision in *Facebook, Inc. v. Duguid*, 19-511. The power to stay a proceeding is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants. *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also McCracken v. Verisma Sys., Inc.*, No. 14-CV-6248, 2020 U.S. Dist. LEXIS 199955, at *10 (W.D.N.Y. Oct. 27, 2020) (internal citations omitted) (“It is well settled that district courts have the inherent power, in the exercise of discretion, to issue a stay when the interests of justice require such action.”).

In support therefore, PRA submits the accompanying Memorandum of Law. PRA intends to file and serve a reply in support of this Motion.

Respectfully submitted,

By: /s/ Jason E. Manning

Jason E. Manning

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